

JUN 24 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALLIANCE FOR THE WILD ROCKIES;
NATIVE ECOSYSTEMS COUNCIL,

Plaintiffs - Appellants,

v.

JANE L. COTTRELL, in her official
capacity as acting Regional Forester;
UNITED STATES FOREST SERVICE,
an agency of the United States Department
of Agriculture,

Defendants - Appellees.

No. 09-35756

D.C. No. 9:09-cv-00107-DWM

O R D E R *

Appeal from the United States District Court
for the District of Montana
Donald W. Molloy, District Judge, Presiding

Argued and Submitted February 2, 2010

Seattle, Washington

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Before: W. FLETCHER and RAWLINSON, Circuit Judges, and MOSMAN,^{**}
District Judge.

We reverse the order of the district court denying Plaintiffs-Appellants' motion for a preliminary injunction.

We remand this action to the District Court for the District of Montana, with direction to enter a preliminary injunction ordering Defendants forthwith to cease implementation of the Rat Creek Salvage Project.

An opinion will follow in due course.

^{**} Hon. Michael W. Mosman, United States District Judge for District of Oregon sitting by designation.